



Inpatient Treatment Program and the recommendation of the United States Probation Office contained in their memorandum filed on October 13, 2006 and has again reviewed the evidence as it relates to 18 U.S.C. § 3142(g). The court hereby incorporates the order filed on August 25, 2006 and specifically the findings made therein. The undersigned has considered the fact that the defendant has completed the Jail Based Inpatient Treatment Program and commends him for his work in that regard and hopes that it will of benefit to the defendant. However, in regard to the release of the defendant the court must consider and give greater weight to the lengthy criminal record of the defendant, particularly the convictions for two counts of assault with a deadly weapon and the previous conviction for felonious possession with intent to manufacture, sell and deliver a schedule II controlled substance and felony possession of cocaine. The court also has given consideration to the fact that the defendant was armed and was making efforts to use a firearm when he was arrested on May 13, 2006. In the previous order, the undersigned made the following finding: “counsel should be advised, however, that due to the defendant’s three felony convictions and his previous criminal record for violence it is unlikely that this court will release the defendant”.

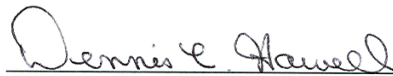
Based upon a complete review and reconsideration of the matter, it is determined that the release of the defendant would create a danger to any other person or the community. The court is fearful, based upon the criminal record of the defendant, that the defendant’s release would create a danger to any other person or the community. As a result, the

undersigned has determined to enter an order denying the defendant's "Motion for Detention Hearing".

**ORDER**

IT IS, THEREFORE, **ORDERED** that the defendant's "Motion for Detention Hearing" is hereby **DENIED** and the defendant continue to be detained pending further proceedings in this matter.

Signed: October 27, 2006

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Dennis L. Howell  
United States Magistrate Judge

